



# PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for \_\_\_\_\_ office building

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_

Legal Owner(s): \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
Robert P. Padousis  
(Type or Print Name)  
Signature \_\_\_\_\_  
6614 Golden Ring Road  
Address  
Baltimore, Maryland 21237  
City and State  
Name and telephone number of legal owner, contract purchaser or representative to be contacted  
Herbert R. O'Connor, III  
Name  
823-4111  
Telephone No.

Attorney for Petitioner: \_\_\_\_\_  
Herbert R. O'Connor, III  
(Type or Print Name)  
Signature \_\_\_\_\_  
210 Allegheny Avenue  
City and State  
Towson, Md. 21204  
Land State  
Attorney's Telephone No.: 823-4111  
Telephone No.

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ 11th day of \_\_\_\_\_ 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ 18th day of \_\_\_\_\_ September, 1980, at 10:00 o'clock A.M.

*[Signature]*  
Zoning Commissioner of Baltimore County.

Z.C.O.-No. 1 (over)

## BALTIMORE COUNTY

## ZONING PLANS

## ADVISORY COMMITTEE



## PETITION AND SITE PLAN

## EVALUATION COMMENTS

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 4, 1980

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

cc: Nicholas S. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Herbert R. O'Connor, III Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Item No. 12  
Petitioners - Kitsa Padousis, et ux  
Special Exception Petition

Dear Mr. O'Connor:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

The subject property located on the east side of Kenwood Avenue approximately 77 feet south of Delege Road in the 14th Election District, is presently zoned D.R. 16/5.5 and is unimproved. Adjacent properties are improved with dwellings to the north, east and south, while commercial uses exist directly opposite this site on Kenwood Avenue. The property was the subject of a previous zoning hearing (Case No. 75-260-XSPH) in which a Special Exception for an office building and a Special Hearing to permit parking in the D.R. 5.5 zoned portion of this site were granted.

After the aforementioned Special Exception was granted and within the required two year time limit for utilization, a request to extend the Special Exception for an additional three years was granted by the former Zoning Commissioner. However, because of a recent opinion by the Circuit Court, which indicated that extensions of this type were not valid, you are now proceeding with a new Special Exception.

As you are aware, the proposed 1980 Comprehensive Zoning Maps indicate a change in the zoning for this property. Because of this, it was your request that this petition be scheduled as promptly as possible. In order to do this it was necessary that this was done prior to the submission of revised plans that reflect the enclosed comments. Therefore, prior to the scheduled hearing, revised site plans, incorporating those comments from the State Highway Administration and Office of Current Planning, must be submitted. In addition,

Item No. 12  
Special Exception Petition  
September 4, 1980

particular attention should be afforded to those comments of the Fire Department and the Department of Permits and Licenses.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,  
*[Signature]*  
NICHOLAS S. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Daft-McCune-Walker  
530 East Joppa Road  
Towson, Md. 21204



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

August 28, 1980

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #12 (1980-1981)  
Property Owner: Kitsa Padousis  
E/S Kenwood Avenue, 77' S. of Delege Road  
Acres: 0.861 District: 14th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

Comments were supplied for this property in conjunction with the Zoning Advisory Committee review for Item 175 (1974-1975), 75-260-XSPH.

This property comprises Parcels "A" and "B" of the "Revised Plat of Section One Goldenwood Gardens", recorded O.T.C. 32, Folio 87.

### Highways:

Kenwood Avenue (Md. Rte. 588) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

The former temporary access road, 24-foot on a 34-foot right-of-way through this site, which served as the only means of public access for the residential development (see P.W. 146707) of which these "parcels" are a part, is now barricaded with steel guardrails at Kenwood Avenue and Magdalena Road. Formal comments provided the developer of this subdivision May 3, 1967 indicate that as permanent access is now provided his subdivision, the necessary cost of the required removal of the temporary access road is the developer's full responsibility.

### Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan. As indicated, there is a 21-inch storm drain within a 10-foot utility easement within this site.

Item #12 (1980-1981)  
Property Owner: Kitsa Padousis  
Page 2  
August 23, 1980

The Petitioner is cautioned that no encroachment by construction of any structure, including footings, is permitted within Baltimore County rights-of-way and utilities easements. During the course of construction on this property, protection must be afforded by the contractor for this storm drain; any damage sustained would be the full responsibility of the Petitioner.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which would be the full responsibility of the Petitioner.

### Water and Sanitary Sewer:

There is a public 10-inch water main and 8-inch public sanitary sewerage in Kenwood Avenue. However, the developer of this subdivision is also responsible for all costs involved for the existing temporary 8-inch water main within the temporary access road and for the capping and removal or abandonment of this temporary 8-inch water main in connection with the abandonment and removal of the temporary access road.

Very truly yours,

*[Signature]*  
ELLSWORTH N. DIVER, P.E.  
Chief, Bureau of Engineering

END:EAM:FWR:hh

cc R. Morton  
J. Wimbley  
J. Tremmer  
D. Crise  
J. Loos  
J. Somers

1-N.W. Key Sheet  
16N.E. 21 Post. Sheet  
N.E. 4-F Topo  
89 Tax Map



Maryland Department of Transportation

State Highway Administration

James J. O'Donnell  
Secretary  
M. S. Catrider  
Administrator

July 18, 1980

Mr. William Hammond  
Zoning Commissioner  
County Office Bldg.  
Towson, Md. 21204

Re: Z.A.C. Meeting - 7-15-80  
Item: #12  
Property Owner: Kitsa Padousis  
Location: E/S Kenwood Ave. (Route 588) 77' S. of Delege Road  
Existing Zoning: D.R. 5.5 & D.R. 16

Attention: Mr. N. Commodari

Dear Mr. Hammond:

On review of the plan and field inspection on July 15, 1980 comments are as follows:

It is recommended that the existing 24' temporary road be modified to 25'.

The radius at Kenwood Avenue must be 20'.

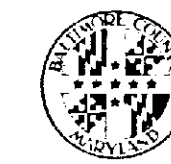
Sidewalks and handicap ramps must be shown on the plan along the frontage of Kenwood Avenue.

Very truly yours,

Charles Lee, Chief  
Bureau of Engineering  
Access Permits

CL:GW:vrd

By: George Wittman



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3211

JOHN D. SEYFFERT  
DIRECTOR

August 25, 1980

Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #12, Zoning Advisory Committee Meeting, July 15, 1980, are as follows:

Property Owner: Kitsa Padousis  
Location: E/S Kenwood Avenue, 77' S. of Delege Road  
Acres: 0.861 acres  
District: 14th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

All exterior lighting should be limited to 8 feet in height.

The subject property is in a traffic area controlled by "D" intersection.

Very truly yours,

*[Signature]*  
John L. Wimbley  
Planner III  
Current Planning & Development

My telephone number is (301) 383-4320

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 30th day of September, 1980, that the herein Petitioner for Special Exception for an office building and offices, in accordance with the site plan filed herein and prepared by Daft, McCune, Walker, Inc., should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. All outdoor lighting shall be no more than eight feet in height and regulated as to location, direction, hours of illumination, glare, and intensity, in order to minimize illumination beyond the subject property.
2. The office building shall be limited to medical offices and/or business or professional offices compatible with medical offices.
3. The site plan shall accurately indicate any existing driveway(s) and/or stockade fence(s) used by adjacent residents.
4. Both the exterior appearance of the office building and the landscaping shall be compatible with the adjacent residences.
5. Screening shall be provided as indicated on the aforementioned site plan; landscaping shall consist of one of the following:

- a. Two rows of white or black pine trees, at least six feet in height, to be staggered alternately six feet on center.
- b. Two rows of spreading yew bushes, at least four feet in height, to be staggered alternately six feet on center.
- c. Two rows of upright yew bushes, at least four feet in height, to be staggered alternately four feet on center.

6. Compliance with the comments submitted by the Department of Permits and Licenses, dated August 7, 1980, and the Fire Department, dated August 6, 1980.
7. A revised site plan shall be submitted, incorporating all of the above restrictions, and approved by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

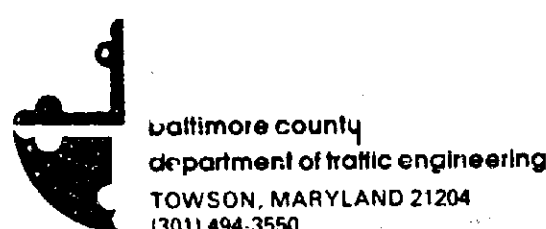
*Jan M. H. Jones*  
Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE September 30, 1980

BY John P. Jones

ADMINISTRATIVE SERVICES



STEPHEN E. COLLINS  
DIRECTOR

August 11, 1980

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 12 - ZAC - July 15, 1980  
Property Owner: Kitsa Padousis  
Location: E/S Kenwood Avenue, 77' S. of Delege Road  
Existing Zoning: D.R. 5.5 & D.R. 16  
Proposed Zoning: Special Exception for medical offices.

Acres: 0.861  
District: 14th

Dear Mr. Hammond:

The requested Special Exception for medical offices can be expected to generate about 600 trips per day and the present zoning can be expected to generate about 100 trips per day.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Engineer Associate II

MSF/hmd

## BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: July 14, 1980

Mr. William E. Hammond  
Zoning Commissioner  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

Z.A.C. Meeting of: July 15, 1980

RE: Item No: 193, 9, 10, 11, 12 13, 14  
Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

*W. Nick Petrovich*  
W. Nick Petrovich, Assistant  
Department of Planning

WNP/bp



BALTIMORE COUNTY  
DEPARTMENT OF HEALTH  
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE & COUNTY HEALTH OFFICER

July 29, 1980

Mr. William R. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #12, Zoning Advisory Committee Meeting of July 15, 1980, are as follows:

Property Owner: Kitsa Padousis  
Location: E/S Kenwood Ave., 77' S. of Delege Rd  
Existing Zoning: D.R. 5.5 & D.R. 16  
Proposed Zoning: Special Exception for medical offices  
Acres: 0.861  
District: 14th

Metropolitan water and sewer are available.

Prior to new installation/s of fuel burning equipment the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

Very truly yours,

*Jan J. Forest*  
Jan J. Forest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

JJF/mw

cc: Air Pollution



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204  
225-7310

PAUL H. REINCKE  
CHIEF

August 6, 1980

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

Re: Property Owner: Kitsa Padousis

Location: E/S Kenwood Avenue, 77' S. of Delege Road

Item No: 12 Zoning Agenda: Meeting of July 6, 1980

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 700 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Intervals along Kenwood Road
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at                      EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER *George M. Hagomelt* Noted and Approved: *George M. Hagomelt*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

RE: PETITIONS FOR SPECIAL EXCEPTION AND SPECIAL HEARING  
E/S of Kenwood Avenue, 100' S of  
Hazelwood Avenue - 14th Election  
District OF  
Frank D. Scarfield - Petitioner  
NO. 75-260-XSPH (Item No. 175) : BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of Petitions filed by Frank D. Scarfield for a Special Exception for an office building and offices on a parcel of property containing 0.678 of an acre of land, herein known as Parcel "B" and, additionally, a Special Hearing for a use permit for off-street parking in a residential zone on a parcel of property containing 0.193 of an acre of land, herein known as Parcel "A".

Let it be noted that although People's Counsel entered his appearance, he did not attend the hearing.

Evidence on behalf of the Petitioner indicated that Mr. Scarfield, a builder and developer, proposes to construct a five story office building on the subject property. Mr. Scarfield did, at one time, have a Special Exception for an office building on the subject property; but due to the Baltimore County Department of Public Works holding back development because of easement, etc., the developer was unable to construct the office building. Accordingly, the Petitioner lost the right to the Special Exception inasmuch as it was not constructed within two years from the date of the final Order granting same, or within the maximum extension period of five years, pursuant to Section 502.3 of the Baltimore County Zoning Regulations.

Testimony indicated that the proposed use meets the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations, i.e., would not be detrimental to the health, safety, or general welfare of the community, would not overcongest the roads, etc. The subject property is zoned D.R. 16 and, as

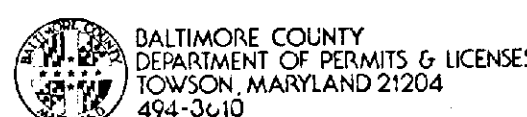
the file is void of any recommendations from the Director of Planning as to the comprehensive analysis of the subject property, it must be assumed that the property was placed in said classification in anticipation of the proposed use, since it cannot be physically developed as a residential use in a D.R. 16 density.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner, the prerequisites of Section 502.1 of the Zoning Regulations have been met and, therefore, the Special Exception for an office building and offices on Parcel "B" should be granted. Furthermore, as the Petitioner's plans meet the prerequisites of Section 409.4, a use permit for off-street parking in a residential zone on Parcel "A" should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 3rd day of February, 1976, that the Special Exception for an office building and offices on Parcel "B" should be and the same is hereby GRANTED, and, further, a use permit for off-street parking in a residential zone on Parcel "A" should be and the same is hereby GRANTED, from and after the date of this Order, subject to the following restrictions:

1. The maximum height of said building shall be four stories or 45 feet.
2. An eight foot high stockade fence must be provided along all the boundary lines of the subject property which adjoin a residence or residential zone.
3. The maximum height of all lighting for the parking lot must not exceed eight feet.
4. Approval of a site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.

*W. Nick Petrovich*  
Zoning Commissioner of  
Baltimore County



TED ZALESKI, JR.  
DIRECTOR

August 7, 1980

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #12 Zoning Advisory Committee Meeting, July 15, 1980 are as follows:

Property Owner: Kitsa Padousis  
Location: E/S Kenwood Avenue, 77' S of Delege Road  
Existing Zoning: D.R. 5.5 & D.R. 16  
Proposed Zoning: Special Exception for medical offices

Acres: 0.861  
District: 14th

The items checked below are applicable:

- A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged, and other applicable Codes.
- X B. A building/                      permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 6" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s                     .
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.
- X I. Comments: Show Handicapped parking, signs, building access, curb cuts, etc., to comply with Handicapped Code.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.  
If desired additional information may be obtained by visiting Room #22 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,  
*Charles E. Burman*  
Charles E. Burman, Chief  
Plans Review

C2B:rrr



RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
E/S of Kenwood Ave., 77'  
S of Deleage Rd., 14th District : OF BALTIMORE COUNTY

ROBERT P. PADOUSIS, et ux, : Case No. 81-57-X  
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman  
Deputy People's Counsel

John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 3rd day of September, 1980, a copy of the foregoing Order was mailed to Herbert R. O'Connor, III, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hession, III

DAFT-MCUNE-YORKER, INC.

530 East Joppa Road  
Towson, MD 21204  
Telephone: 301-296-3333  
Land Planning Consultants  
Landscape Architects  
Engineers

DESCRIPTION

0.861 Acre Parcel for Special Exception  
For Office Building  
Fourteenth Election District, Baltimore County, Maryland

Beginning for the same at a point on the easterly side of Kenwood Avenue at a distance of 77 feet, more or less, southerly from the southerly side of Deleage Road, and running thence binding along said easterly side of Kenwood Avenue, (1) South 07° 51' 45" West 50.00 feet and (2) South 01° 44' 24" West 193.09 feet, thence leaving Kenwood Avenue and running the following six (6) courses and distances, viz.: (3) North 79° 05' 43" East 135.27 feet, (4) North 09° 27' 17" West 6.54 feet, (5) North 19° 51' 45" East 233.03 feet, (6) North 70° 08' 15" West 63.00 feet, (7) South 06° 40' 45" West 46.04 feet and (8) North 83° 19' 15" West 134.53 feet to the place of beginning, containing 0.861 acre of land, more or less.

Saving and Excepting Therefrom, all that portion of the above described parcel which is presently zoned D.R. 5.5

Wilson F. Outen, Reg. L.S. #2493



August 9, 1980  
Job Order No. B-8021

REVISED PLANS  
ITEM #12

PETITION FOR SPECIAL EXCEPTION

14th District

ZONING: Petition for Special Exception  
LOCATION: East side of Kenwood Avenue, 77 feet South of Deleage Road  
DATE & TIME: Thursday, September 18, 1980 at 10:00 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for office building

All that parcel of land in the Fourteenth District of Baltimore County

Being the property of Robert P. Padousis, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, September 18, 1980 at 10:00 A.M.  
Public Hearing: Room 106 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

August 19, 1980

Herbert R. O'Connor, III, Esquire  
Cook, Howard, Downes & Tracy  
210 Allegheny Avenue  
Towson, Maryland 21204

NOTICE OF HEARING

RE: Petition for Special Exception - E/S Kenwood Ave., 77'  
S of Deleage Road - Robert Padousis, et ux  
Case No. 81-57-X

TIME: 10:00 A.M.

DATE: Thursday, September 18, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond  
Zoning Commissioner  
TO: \_\_\_\_\_ Date: September 2, 1980  
John D. Seyffert, Director  
FROM: Office of Planning and Zoning  
SUBJECT: Petition No. 81-57-X Item 12

Petition for Special Exception  
East side of Kenwood Avenue, 77 feet South of Deleage Road  
Petitioner: Robert P. Padousis, et ux

Fourteenth District

HEARING: Thursday, September 18, 1980 (10:00 A.M.)

Office use would be appropriate here. If this petition is granted, it is requested that the order be conditioned to require the submittal of a detailed landscaping plan for approval by the Division of Current Planning and Development.

John D. Seyffert, Director  
Office of Planning and Zoning

JDS:JGH:ab

LAW OFFICES  
COOK, HOWARD, DOWNES & TRACY  
A PROFESSIONAL ASSOCIATION  
210 ALLEGHENY AVENUE  
P.O. BOX 5517  
TOWSON, MARYLAND 21204

July 28, 1980

Hon. William E. Hammond  
Zoning Commissioner  
Baltimore County Office of Planning and Zoning  
County Office Building  
11 West Chesapeake Avenue  
Towson, Md. 21204

RE: Petition of Robert and Kitsa Padousis  
For Special Exception  
Item #12

Dear Mr. Hammond:

A Petition for Special Exception was filed on behalf of Robert and Kitsa Padousis on July 7. No hearing date has been issued for this Petition and I would like to inform you of certain extenuating circumstances which justify a hearing on the earliest available date.

Dr. and Mrs. Padousis purchased this property from a person who had obtained a special exception for an office building in a DR16 zone. Because the building was not constructed near the time of settlement, the seller obtained an extension Order which gave Dr. and Mrs. Padousis reason to believe that they would be able to construct an office building without any zoning problems. As you undoubtedly know, Judge Raine has ruled that the zoning ordinance section, which authorizes extension Orders, is in contravention of Maryland law.

When Dr. and Mrs. Padousis inquired about zoning approval, a zoning office staff member informed them that his office was awaiting an Opinion from the County Solicitor on how to abide by Judge Raine's Order and to treat other Special Exception holders fairly. I was

Hon. William E. Hammond -2- July 28, 1980  
informed that an Opinion would not be forthcoming until there had been an appeal ruling on Judge Raine's decision. My clients could not wait for an indefinite period of time and, therefore, they elected to file for a new Special Exception.

While my clients and I both realize that there are many cases on your docket, we respectfully submit that this case can be fairly distinguished from new zoning petitions because it was the subject of a prior Order and an extension Order which is now held in abeyance pending a solicitor's opinion and a ruling from the Court of Special Appeals. Therefore, I would respectfully request that you schedule this as soon as your calendar will permit.

Thank you for your consideration.

Very truly yours,

Herbert R. O'Connor, III

HRO/mr  
cc: Dr. Robert P. Padousis

HAND DELIVERED.

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

September 4, 1980

Herbert R. O'Connor, III, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Petition for Special Exception  
E/S Kenwood Ave., 77' S of  
Deleage Road  
Robert Padousis, et ux  
Case No. 81-57-X

Dear Mr. O'Connor:

This is to advise you that \$53.88 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Joner, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond  
Zoning Commissioner

WEH:sj



WILLIAM E. HAMMOND  
ZONING COMMISSIONER

September 30, 1980

Herbert R. O'Connor, III, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Petition for Special Exception  
E/S of Kenwood Avenue, 77' S of Deleage  
Rd. - 14th Election District  
Robert P. Padousis, et ux - Petitioners  
NO. 81-57-X (Item No. 12)

Dear Mr. O'Connor:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

*Jean M. H. Jung*  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hessian, III, Esquire  
People's Counsel

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

October 23, 1980

Herbert R. O'Connor, III, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Case No. 81-57-X  
E/S of Kenwood Avenue, 77' S of  
Deleage Road - 14th Election District  
(Robert P. Padousis, et ux -  
Petitioners)

Dear Mr. O'Connor:

Your letter dated October 6, 1980 and addressed to Mrs. Jean M. H. Jung, Deputy Zoning Commissioner, has been referred to me for reply. You request clarification as to the application of Section 502.5 of the Baltimore County Zoning Regulations, as established by Bill No. 167-80, as it affects the above special exception.

Please be advised that it is my opinion that your interpretation of this section is correct. In effect, you have two years from the date the Order was granted, to utilize and/or effectuate the special exception. The zoning regulations in effect when the Order was granted, relating to the zoning at that time; i.e., Density, Residential (D.R.16), and any other conditions made subject to the granting of the special exception, are applicable to the future development of the property.

If you need further information, please contact this office.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Zoning Supervisor

JED/sf

cc: Mr. William E. Hammond, Zoning Commissioner  
Mrs. Jean M. H. Jung, Deputy Zoning Commissioner  
Case No. 81-57-X

BALTIMORE  
COUNTY  
COUNCIL  
1980  
REZONING

Pet 81-57-X

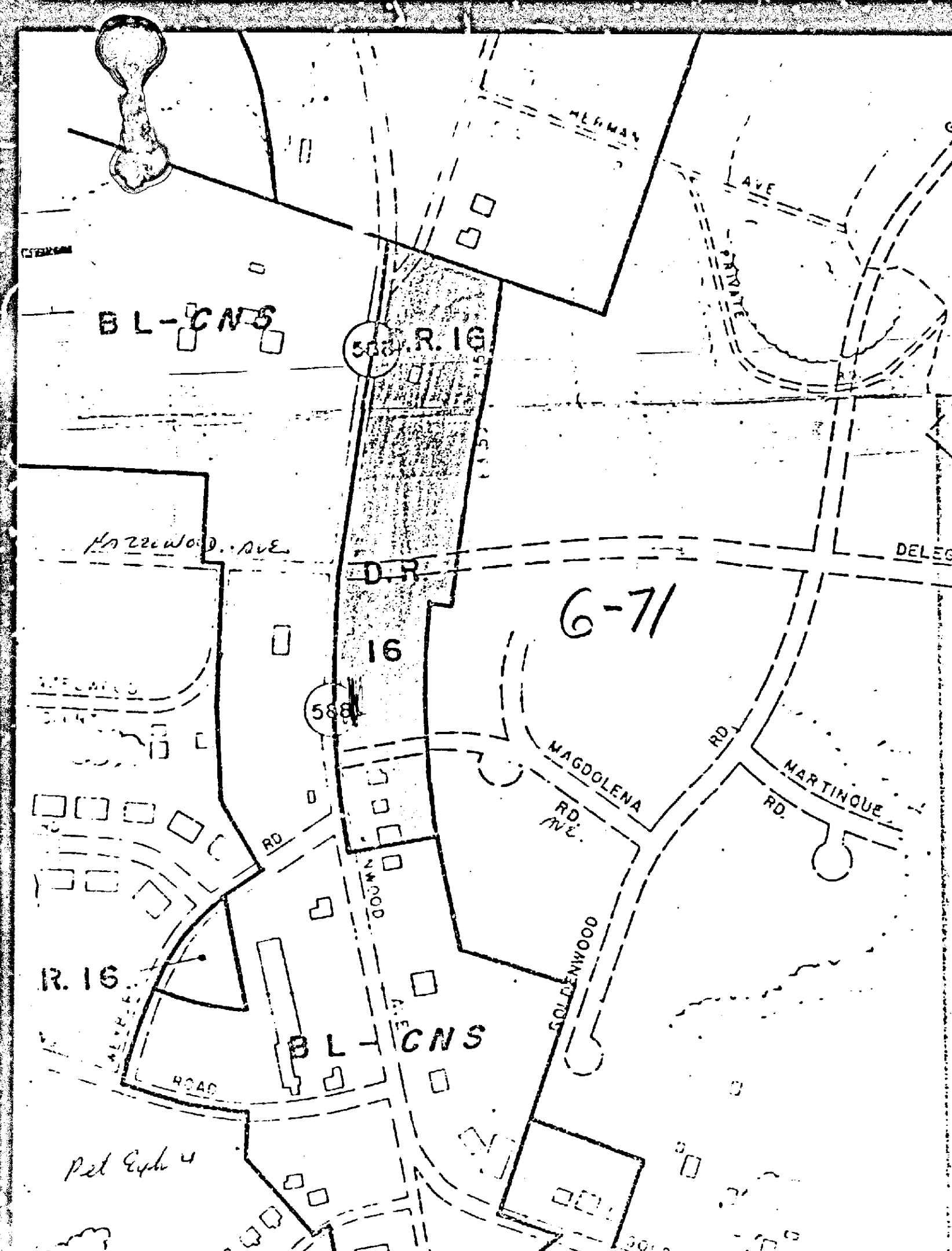
ITEM NO.		SPONSOR, OWNER, PETITIONER AND ORGANIZATION OR PLACENAME		LOCATION AND (APPROXIMATE ACRES)		EXISTING ZONING		REQUESTED ZONING		PLANNING BOARD RECOMMENDATION		POSSIBLE FINAL ZONING		COMMENTS	
6-53		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-54		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-55		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-56		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-57		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-58		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-59		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-60		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-61		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-62		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-63		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-64		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-65		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-66		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-67		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-68		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-69		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-70		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-71		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-72		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-73		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-74		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-75		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-76		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-77		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-78		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-79		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		
6-80		DPZ - Staff	(Residential Office Zone)	N/S of Phila. Rd. N/S of Golden Ring Rd. 2.5 ac.		DR16	RO/DR16	RO	DR16			RO	DR16		

RE: EXTENSION OF SPECIAL EXCEP- : BEFORE THE  
TION : ZONING COMMISSIONER  
E/S of Kenwood Avenue, 100' S of :  
Hazelwood Avenue - 14th Election :  
District : OF  
Frank D. Scarfield - Petitioner :  
NO. 75-260-XSPH (Item No. 175) : BALTIMORE COUNTY

EXTENSION ORDER

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this 1st day of February, 1978, that the Special Exception for an office building and offices, granted February 3, 1976, be and the same is hereby extended, in accordance with Section 502.3 of the Baltimore County Zoning Regulations, for a period of three years, beginning February 3, 1978, and ending February 3, 1981.

*William E. Hammond*  
Zoning Commissioner of  
Baltimore County



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received this 7 day of July 1980

Filing Fee \$100.00 Received: *William E. Hammond* Check  
Cash  
Other

Petitioner *Robert P. Padousis* Submitted by *William E. Hammond*  
Petitioner's Attorney *Robert P. Padousis* Reviewed by *William E. Hammond*

\*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>William E. Hammond</i>										
Previous case: 75-260										

Revised Plans:  
Change in outline or description Yes  
No

Map #

PETITION FOR  
SPECIAL EXCEPTION

14th District

Zoning Petition for Special

Exception

Location: East side of

Kenwood Avenue, 77 feet south

of Deleage Road.

Date & Time: Thursday,

September 18, 1980 at 10:00

A.M.

Public Hearing Room 106,

County Office Building, 111 W.

Chesapeake Avenue, Towson,

Maryland.

The Zoning Commissioner of

Baltimore County, by authority

of the Zoning Act and

Regulations of Baltimore

County, will hold a public

hearing:

Petition for Special Exception

for office building, by authority

of the Zoning Act and

Regulations of Baltimore

County, will hold a public

hearing:

Petition for Special Exception

for office building, by authority

of the Zoning Act and

Regulations of Baltimore

County, will hold a public

hearing:

Petition for Special Exception

for office building, by authority

of the Zoning Act and

Regulations of Baltimore

County, will hold a public

hearing:

Petition for Special Exception

for office building, by authority

of the Zoning Act and

Regulations of Baltimore

County, will hold a public

hearing:

Petition for Special Exception

for office building, by authority

of the Zoning Act and

Regulations of Baltimore

The Essex Times

Essex, Md., August 21, 1980

This is to Certify, That the annexed

Petition

was inserted in The Essex Times, a newspaper

printed and published in Baltimore County, once in

each of one successive

weeks before the 28th day of

August, 1980

Ann W. McPherson, Publisher.

BALTIMORE COUNTY, MARYLAND No. 091766

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE 9/25/80 ACCOUNT 01-662

AMOUNT \$53.98

RECEIVED FROM Herbert R. O'Connor, III, Esquire

FOR Adv. & Posting for Case No. 81-57-X

THURSDAY, SEPTEMBER 18, 1980 AT 10:00 A.M.

Public Hearing Room 106,

County Office Building, 111 W.

Chesapeake Avenue, Towson,

Maryland.

BY ORDER OF WILLIAM E. HAMMOND

Zoning Commissioner of Baltimore County

VALIDATION OR SIGNATURE OF CASHIER



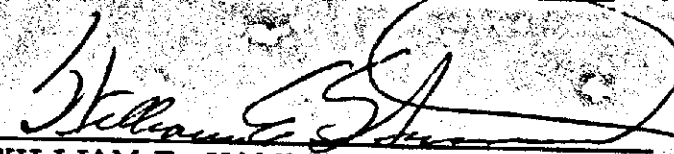
Herbert R. O'Connor, III, Esquire  
210 Allegany Avenue  
Towson, Md. 21204

Deft-McCune-Walkes  
530 East Joppa P.  
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 11th day  
of August, 1980

  
WILLIAM E. HAMMOND  
Zoning Commissioner

Petitioner Robert P. Padounis et ux

Petitioner's Attorney Herbert R. O'Connor, III

Reviewed by: Nicholas B. Commodari  
Nicholas B. Commodari  
Chairman, Zoning Plans  
Advisory Committee

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 089635

DATE August 19, 1980 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED FROM Herbert R. O'Connor, III, Esquire

FOR Filing Fee for Case No. 81-57-X

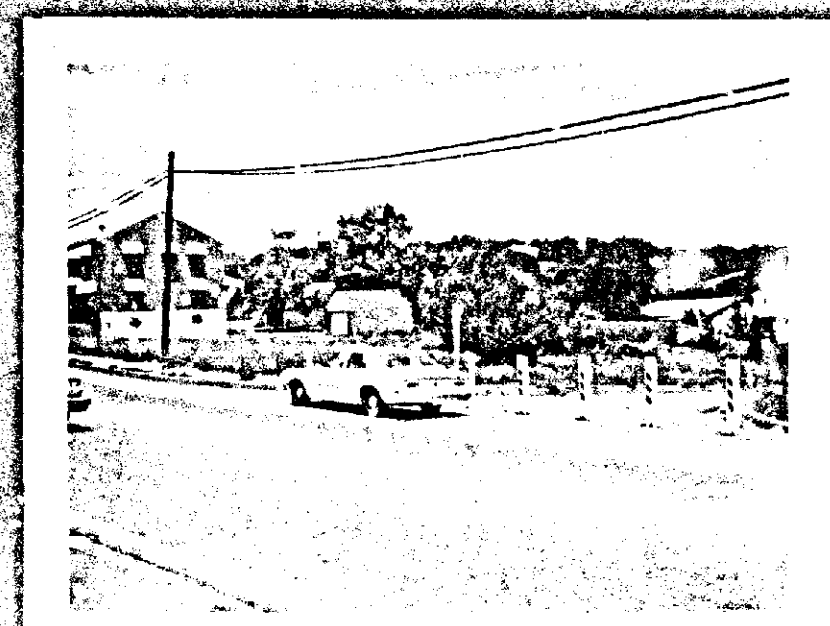
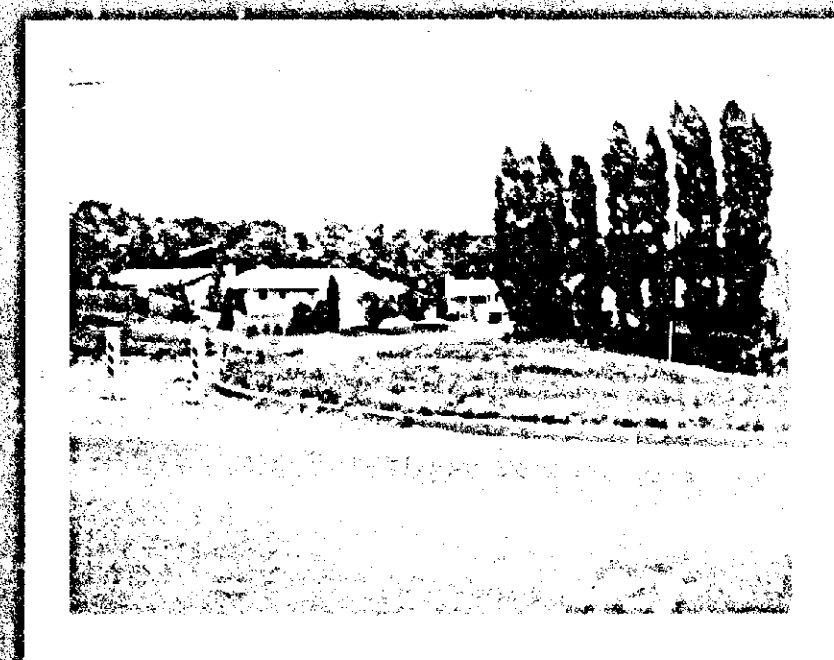
2813 CASH 19

50.00

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 14 Date of Posting 8/31/80  
Posted for: Petition for Special Exception  
Petitioner: Robert P. Padounis, et ux  
Location of property: E 15 Kenwood Ave., 771 S  
f Delegee Rd.  
Location of Signs: front of property (Facing  
Kenwood Ave.)  
Remarks: \_\_\_\_\_  
Posted by: Sean Cleman Date of return: 9/5/80  
Signature  
Number of Signs: 1



PETITION FOR SPECIAL  
EXCEPTION  
14th District

ZONING: Petition for Special Ex-  
ception  
LOCATION: East side of Kenwood  
Avenue, 77 feet South of Delegee  
Road  
DATE & TIME: Thursday, Septem-  
ber 18, 1980 at 10:00 A.M.  
PUBLIC HEARING: Room 106,  
County Office Building, 111 W.  
Chesapeake Avenue, Towson,  
Maryland

The Zoning Commissioner of Bal-  
timore County, by authority of the  
Zoning Act and Regulations of  
Baltimore County, will hold a pub-  
lic hearing:

Petition for Special Exception for  
office building.  
All that parcel of land in the  
fourteenth District of Baltimore  
County.

Beginning for the same at a point  
on the easterly side of Kenwood  
Avenue at a distance of 77 feet,  
more or less, southerly from the  
south side of Delegee Road, and  
running thence binding along said  
easterly side of Kenwood Avenue,  
(1) South 07° 51' 45" West 50.00 feet  
and (2) South 01° 44' 24" West  
153.09 feet; thence leaving Kenwood  
Avenue and running the following  
six (6) courses and distances, viz.:  
(3) North 70° 05' 45" East 135.27  
feet, (4) North 08° 27' 17" West 6.54  
feet, (5) North 19° 51' 45" East 239.03  
feet, (6) North 70° 05' 15" West  
63.00 feet, (7) South 06° 40' 45" West  
46.04 feet and (8) North 83° 19' 15"  
West 134.53 feet to the place of be-  
ginning, containing 0.861 acre of  
land, more or less.

Saving and Excepting Therefrom,  
all that portion of the above de-  
scribed parcel which is presently  
zoned D.R. 5.5.

Being the property of Robert P.  
Padounis, et ux, as shown on plat  
plan filed with the Zoning Depart-  
ment.

Hearing Date: Thursday, Septem-  
ber 18, 1980 at 10:00 A.M.  
Public Hearing: Room 106, Coun-  
ty Office Building, 111 W. Ches-  
apeake Avenue, Towson, Maryland.

By Order Of  
WILLIAM E. HAMMOND,  
Zoning Commissioner  
of Baltimore County  
Aug. 28.

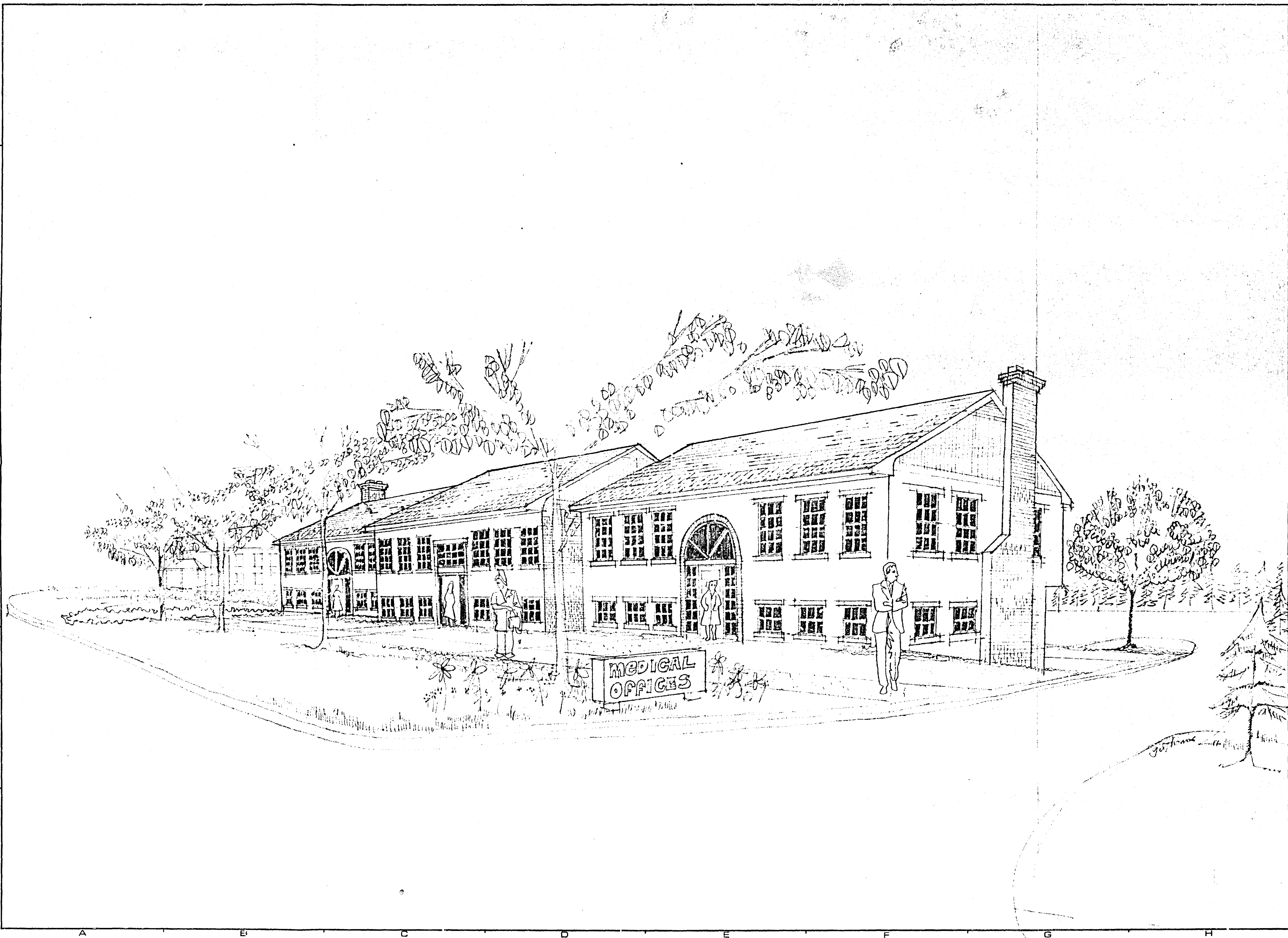
CERTIFICATE OF PUBLICATION

TOWSON, MD., August 28, 1980

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper printed  
and published in Towson, Baltimore County, Md., ~~on one time~~  
of one time ~~on one time~~ before the 18th  
day of September, 1980, the ~~first~~ publication  
appearing on the 28th day of August  
1980.

THE JEFFERSONIAN,  
L. Frank Strickland  
Manager.

Cost of Advertisement, \$ \_\_\_\_\_

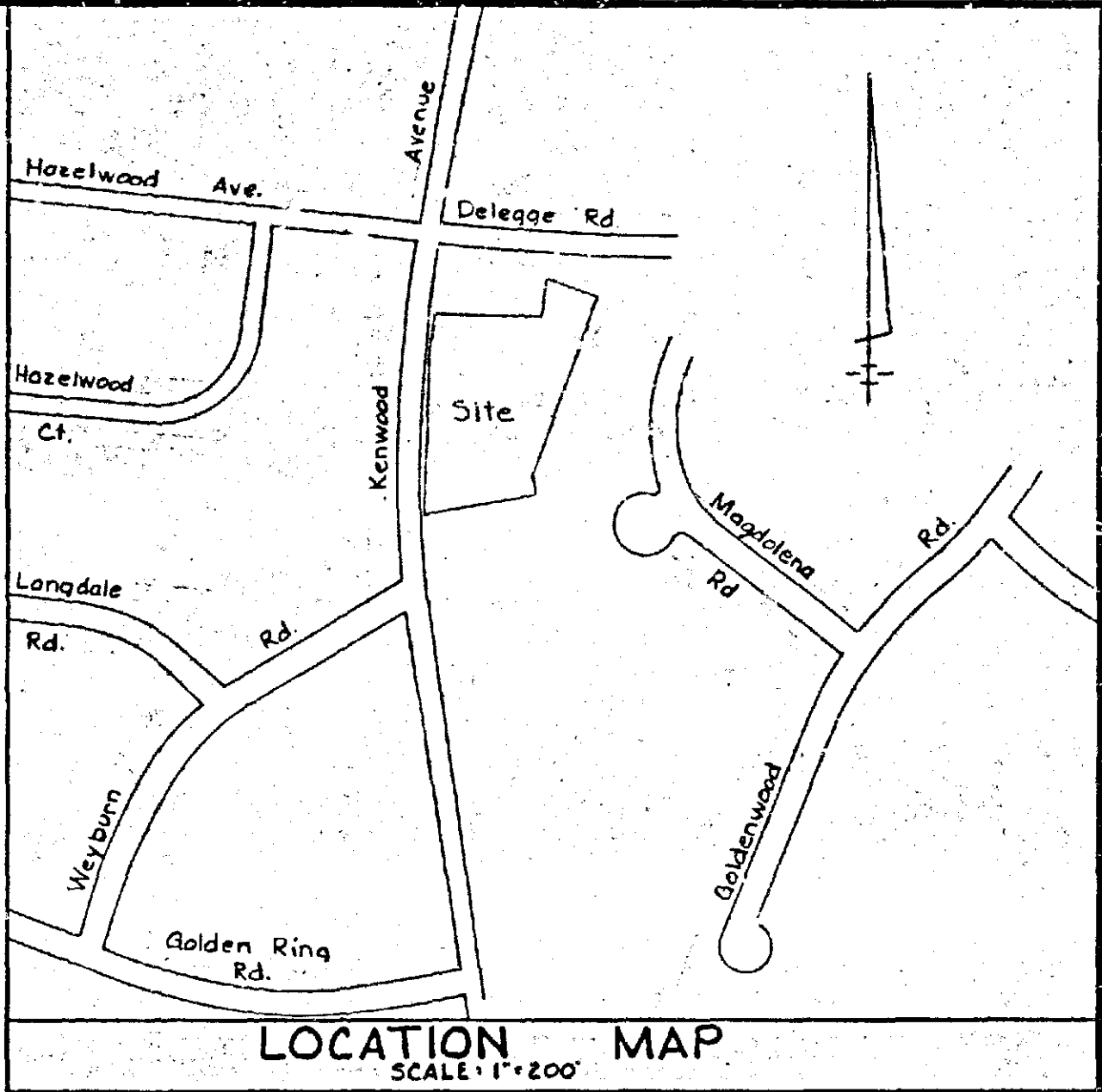


CERTIFIED

SHEET TITLE	
JOB NO.	
DRAWN	
DATE	CHECKED
REVISION	



NOTES: Boundary shown hereon taken from survey dated October 10, 1978 prepared by Don Lynch Assoc. Inc.



SITE DATA

1. Area of site - 0.861 Acre
2. Existing zoning - D.R. 5.5 & D.R. 16
3. Existing use - Vacant
4. Proposed use - Medical Office Building
5. First floor area - 3600 sq. ft.  
Second floor area - 4320 sq. ft.  
Total - 7920 sq. ft.
6. Parking required @ 1/300 sq. ft. - 26.4 Spaces
7. Parking provided - 33 Spaces

E31.400  
N15.750

E31.250  
N15.750

E31.250  
N15.250

HAZELWOOD AVENUE

DELEGE ROAD

KENWOOD AVENUE

Zoned BL  
Existing Use Commercial

AVENUE



DAFT-McCUNE-WALKER INC.  
LAND PLANNING CONSULTANTS  
LANDSCAPE ARCHITECTS  
ENGINEERS  
530 EAST JOPPA ROAD  
JOPPA, MD. 21204  
TELEPHONE 201-296-3332

PLAT TO ACCOMPANY HEARING FOR  
SPECIAL EXCEPTION FOR MEDICAL  
OFFICE BUILDING

14<sup>TH</sup> ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS

SCALE:  
1" = 20'

JOB ORDER NO.  
B-8021

ISSUE DATE